

## SENATE

(Continued From Sixth Page.)

cated. This practice has resulted in one defalcation after another. He reiterated his argument of Monday, that, having been legally submitted to the people and legally defeated by them, the amendment in question could not be re-submitted by this Legislature without violating the Constitution, which requires the ratification of two succeeding General Assemblies. "You cannot unscramble scrambled eggs," he said; "the amendment is dead."

Defended by Senator Tucker. Senator Tucker took up the defense of the bill in a speech teeming with fire and conviction. The Senator from Northumberland, he thought, had wandered from the real question at issue in his anxiety to show that the submission of constitutional amendments in couples was within the provisions of the Constitution. The real question, he said, was one of legislative decision and power. He failed to find a single line in the Constitution which forbade re-submitting the amendment in question, and was convinced that no court would undertake to annul or impeach the judgment of the General Assembly on that point.

He cared not whether an amendment had been submitted constitutionally or unconstitutionally, he was willing to take the broad ground that whenever a constitutional amendment submitted to the vote of the people has been defeated, the General Assembly, in the exercise of its sovereign power, can re-submit it, and he was willing to take the broad ground that whenever a constitutional amendment submitted to the vote of the people has been defeated, the General Assembly, in the exercise of its sovereign power, can re-submit it, and he was willing to take the broad ground that whenever a constitutional amendment submitted to the vote of the people has been defeated, the General Assembly, in the exercise of its sovereign power, can re-submit it.

Tells of His Doubts. For a time, said Senator Tucker, he was troubled by doubts as to whether the amendment could constitutionally be submitted to the people by the present Legislature, or whether it would have to be first ratified by the succeeding General Assembly. This doubt, however, had given way to the conviction that the present Legislature had an unquestioned right to submit the amendment at once.

"But if the Constitution has not succeeded in making altogether clear the provisions which govern this matter," said Senator Tucker, "I think the General Assembly should establish the precedent that amendments shall be submitted to the people in every instance, rather than relying upon judicial decisions which are out constitutional shortcomings."

The Constitution, he said, was a restraining instrument solely, and before it can be claimed that it has been violated by a General Assembly, an indisputable fracture of one of its provisions must be shown.

Denies Insinuations. "I deny indignantly the insinuation of the Senator from Northumberland," he said, "as well as the insinuation of a morning newspaper, that any Senator in this body could be deflected from his duty to the Constitution through motives of friendship to county officials affected by this measure. Such a charge is unjust to every member of the Senate."

Senator Rison, who spoke briefly in favor of the bill, said that the question appeared to him in two aspects. In the first place, he thought that the two offices embodied in the amendment as submitted to the people were not germane to each other, as claimed by Senator Walker. Because of this, he argued, the submission of the amendment in 1910 was invalid.

If this procedure were invalid, he continued, then the only thing the General Assembly can do is to submit the amendment to the people again. But since it is admitted that the initiative proceedings of the Legislature of 1908 were valid, he saw no necessity of beginning all over again, and thought that the General Assembly has the right to submit the question this year.

Senator Walker replied with his argument of Monday that the legislative power of the present Assembly was dead as far as this particular measure was concerned, and that it could only be re-introduced by the endorsement of the succeeding Legislature. He denied that the two offices affected by the contested amendment were not germane. Both of the offices, he said, were connected with the revenue—the commissioner assessed the taxes and the treasurer collected them.

Senator Gravatt thought that when lawyers disagree on a question it was time for the common people to step in and decide, and stated that he would

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It was well enough before the times of banking institutions to keep your money in a sock, but to-day's methods call for conservative banks, where you can place your savings, with regular interest allowed.

INTEREST AT 3 PER CENT PER ANNUM ALLOWED ON SAVINGS ACCOUNTS.

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307 East Broad Street.

therefore support the bill. Senator Thornton called for the question, and the vote resulted as follows:

Ayes—Blacks, Bowers, Catron, Crockett, Cummings, Drewry, Early, Echols, Edmondson, Featherston, Folkes, Garrett, Gayle, Gravatt, Harman, Hart, Hobbs, Lester, Massie, Moncure, Montague, Parr, Paul, Rinehart, Rison, Royall, Saunders, Smith, Sowder, Tavenner, Thornton, Tucker, Watkins, Wendenburg.

Noes—Fletcher, Holt, Mapp, Walker. Total: Ayes, 34; noes, 5. Senator Brock was not present.

The Senate adjourned at 2:25.

## HOUSE BILLS

The following were presented and referred under Rule 81:

To Committee on Finance.

By Mr. Webb: A bill to amend and re-enact section 205 of the Code of Virginia.

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To Committee on General Laws.

By Messrs. Cox, Montague, Creamer, Curtis and Harwood: A bill to require persons maintaining manufacturing establishments, from which deleterious or waste material flows or is placed in any river or tributary thereof in this Commonwealth, from which any city or town obtains its water supply for domestic purposes, to establish and maintain under rules and regulations to be prescribed by the State Board of Health, a suitable plant for the purification of such waste material.

By Mr. Kemper: A bill to prevent the sale of adulterated or misbranded Paris green, lead acetate and other insecticides and also of fungicides.

By Mr. Cox: A bill to amend and re-enact section 327 of the Code of Virginia.

To Committee on Special, Private and Local Legislation.

By Mr. Oliver: A bill to amend an act to authorize the Washington and Leesburg Turnpike Company to take possession of certain turnpikes abandoned as such and now used as county roads in the counties of Loudoun, Fairfax and Alexandria, and also to take possession of a portion of a county road in Fairfax county.

By Messrs. Ivey and Baker, of Chesterfield: A bill to authorize the Auditor of Public Accounts to pay certain costs incurred in the case of the Commonwealth vs. Henry Clay Beattie, Jr.

By Mr. Cox: A bill to amend section 2 of an act to establish the Law and Equity Court of the city of Richmond, and to define its jurisdiction and relation to the other courts of said city.

To Committee for Courts of Justice.

By Mr. Banks: A bill to amend an act to provide, in cities containing 10,000 inhabitants or more, for the election of special justice of the peace, to be known as the Civil Justice.

By Mr. Cox: A bill to amend section 2965 of the Code of Virginia with reference to the direction and return of an attachment by adding provision requiring the payment within thirty days, under the penalty of default, of the proper writ tax in case of attachment for 25 cents, and 125 cents returned to a circuit or city court.

To Committee on Counties, Cities and Towns.

By Mr. Chalkley: A bill to amend an act to provide for the issuing of county bonds for the permanent road or bridge improvement.

To Committee on Agriculture and Mining.

By Mr. Williams: A bill to prevent the spread of blight to chestnut trees in this State, and to appropriate money therefor.

To Committee on Militia and Police.

By Mr. Cox: A bill to amend an act to regulate the Governor's staff.

## SENATE BILLS

By Mr. Mapp: A bill to amend an act to regulate the practice of veterinary medicine or surgery in the State of Virginia. Referred to the Committee on General Laws.

By Mr. Echols: A bill to appropriate the public revenue for the two fiscal years ending, respectively, on the 31st day of February, 1912, and on the 28th day of February, 1913. Referred to the Committee on Finance.

By Mr. Montague: A bill for the relief of the Fertile Company. Referred to the Joint

Committee on Special, Private and Local Legislation.

By Mr. Gravatt: A bill to amend an act to constitute a United Agricultural Board. Referred to the Committee on Finance.

By Mr. Harman: A bill to require persons maintaining manufacturing establishments, from which deleterious or waste material flows or is placed in any river or tributary thereof in this Commonwealth, from which any city or town obtains its water supply for domestic purposes, to establish and maintain under rules and regulations to be prescribed by the State Board of Health, a suitable plant for the purification of such waste material. Referred to the Committee on Agriculture, Mining and Manufacturing.

By Mr. Lester: A bill to provide for the extension and operation by cities and towns of water-works, water mains or pipes. Referred to the Committee on County, City and Town Organizations.

By Mr. Fletcher: A bill to submit to the qualified voters of the town of Warrenton, in the county of Paquiter, at a special election to be held thereon when the Town Council so directs, the question of the establishment of a dispensary for the sale of intoxicating liquors in the town of Warrenton. Referred to the Joint Committee on Special, Private and Local Legislation.

By Mr. Tavenner: A bill to amend and re-enact section 205 of the Code of Virginia. Referred to the Committee for Courts of Justice.

By Mr. Watkins: A bill to authorize the Auditor of Public Accounts to pay certain costs incurred in the case of the Commonwealth vs. Henry Clay Beattie, Jr. Referred to the Committee on Finance.

## Here and There in the Legislature

It is understood that the advocates of the wage exemption bill will make another fight, and will not admit that it is dead. It was not mentioned in the Senate yesterday because of the special order which has been previously set. It will probably be threshed out this morning.

As foretold in The Times-Dispatch on Monday, a bill was introduced in the House yesterday by Edwin P. Cox to abolish the Governor's staff as at present constituted. The colonels would all go.

If the bill becomes law the staff will be composed of the Adjutant-General, who would be chief of staff; the Assistant Inspector-General, to be assistant chief of staff; a military secretary of the rank of major, and ten aides-de-camp. These aides would be regular officers of the Virginia Volunteers, and would continue their duties as such. The military secretary would be appointed by the Governor, and his traveling expenses and per diem would be paid out of the funds set apart for the executive department.

Before the House Committee on Asylums and Prisons yesterday afternoon there came up the bill which would have the State take over the property of the different reformatories, including the Home and Industrial School for Girls. The bills look to government by a board of the State. Rev. T. M. Martin, appearing for the measures, said the time had come for the State to take charge, the members of the charitable associations which inaugurated these institutions being willing.

The committee desired more light and information of the subject and postponed action to the next meeting.

Delegate S. H. Love, of Lunenburg, now known how distinguished he looks. On his trip to Washington, where he went as a member of the committee to notify Senator Swanson of his election, he wore for the first time in his more than sixty years of life, a tall silk

hat. Needless to say, a frock coat was part of the equipment.

In Washington numerous citizens addressed him as "Senator Carter."

"Pardon me, is this Senator Carter?" was the frequent salutation.

"No, this is Delegate Love, of Lunenburg," was his surprised reply. The questioners also looked surprised and walked off.

After this had been repeated several times Mr. Love inquired, "Who is Senator Carter?" He was informed that he is a multi-millionaire member of the upper house of Congress from Montana.

A bill to prevent destruction of chestnut timber by blight was introduced in the House yesterday by Judge Martin Williams. It appropriates an indefinite number of dollars to have the State plant pathologist at Blacksburg to make investigations and secure the destruction of infected trees.

A bill offered in the House by Edwin P. Cox would have the annum term of the Law and Equity Court of Richmond changed from the second Monday in September to the fourth Monday in the same month.

Another inspection bill was offered in the House yesterday. It is by James R. Kemper, of Augusta, and would prevent the sale of adulterated and misbranded Paris green, lead arsenates, insecticides and fungicides. There would be the usual drawing of samples, analyses and marking of packages required in many other instances.

The bill to repay \$2,727.02 of the costs of the prosecution in the Henry Clay Beattie case, mentioned yesterday in The Times-Dispatch, was introduced in the Senate yesterday by Senator J. B. Watkins and in the House by W. W. Baker and W. S. Ivey, all of Chesterfield. The bill sets forth that the amount was expended because of the "necessity for a speedy trial and to meet the extraordinary efforts of the defense." The money is to be paid out by the Auditor upon the approval of the Attorney-General.

A delegation from Halifax county was in conference yesterday with Senator Edmondson and Clerk Booker, of the Senate, and Delegates Stebbins and Kent, of the House, in relation to certain proposed improvements in the curriculum of the Mt. Carmel High School. In the party were: I. Guy Wilkins, Samuel E. Bass and J. B. Wilkins, all of Mt. Carmel.

Senator Echols presented yesterday in the form of a bill, a tentative schedule of the general appropriations for the years 1912-14. It was referred to the Committee on Finance, which will amend and reshape it for its final passage. The bill as introduced, based largely on the appropriations of the last bill, appropriated \$9,655,352.61 for the fiscal year 1912-13, and \$6,139,562.61 for the year following.

To permit the city of Norfolk to operate a system of water-works in the event an earlier bill passes conferring upon that city the right to acquire by condemnation proceedings the holdings of the present companies which supply Norfolk and Portsmouth with water, Senator Lester yesterday introduced a supplementary bill providing for the extension and operation by cities and towns, of water-works, water-mains or pipes.

The Senate Committee for Courts of Justice reported favorably at its meeting yesterday afternoon Senator Parr's bill dispensing with affidavits of comrades and proof that the husband was a true and loyal soldier, on the application for a pension by a widow of a Confederate soldier, sailor or marine, who at the time of his death was a pensioner under the act approved March 5, 1858.

Senator Paul's bill providing that in any action to recover damages for personal injury or wrongful death, the instruction shall be given a jury, the effect of which will be to take from the jury the consideration of the particular facts surrounding the accident in which the injury occurred, even though the defendant may have shown that it conformed to the standard set by other well regulated companies engaged in similar business, was reported favorably yesterday by the Senate Committee for Courts of Justice.

Speaker Byrd, in his efforts to secure some form of tax reform at the hands of this Legislature, has in preparation a new bill, which he designs to offer. It is an entirely new line.

A State Tax Commission of three is proposed, composed of the State Accountant, the Assessor of Mineral Lands and another, to be known as the Tax Commissioner. They are to visit localities, inquire as to assessments, and in case the general average is found to be too low they are to appeal to the local courts for trial of the matter on its merits. It is the aim to avoid centralization and to advance home rule.

Two of the commissioners, with the members of the State Corporation Commission, the Auditor and the Governor, would determine the assessments on railroad property, so as to make them conform with the assessments on other property.

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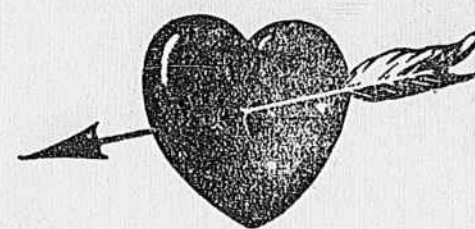
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## Order It To-Day For Next Sunday



## The Valentine Number of The Times-Dispatch Illustrated Sunday Magazine. The Best There Is for Sunday Reading.

"Her First Valentine—A Memory—from a full page drawing by C. N. Landon, is one of those fine bits of sentiment that find their way into publication and into our hearts. There are few of us so young that we haven't had a first valentine and few so old that we have forgotten the first one we received.

## "Dandy Jim's" Dandy Finish

## Six Hand-Painted Plates

This is the story of a sheriff and an outlaw—a story full of red meat—a story for real men—a story in which two natural enemies are forced to meet and fight a common foe. Read it.

This is a bit of a domestic comedy; a story that is amusing to read, but not quite so funny to the young man and his wife.

## Lost in the Blanketing Snows

There is in every event, however tragic, some little touch of humor. Theodore Roberts, that master of modern fiction, brings out these opposing elements strongly in his story of the lost guide.

## A Multi-Millionaire Who Would Rather Grow Roses Than Count Money

When but a lad, the far-sighted mother of this son threw him on his own resources, told him to go to Texas and make something of himself. He went. And he made something of himself, too. The boy is the son of the richest woman in the world. He is the subject for next Sunday of the article in the series, "Little Hobbies of Big Men."

## The Times-Dispatch Makes a Dull Sunday Bright and a Bright Sunday Brighter.

roads could dictate who should be members of the commission in a popular contest. Recently California, he said, while adopting radical moves, including woman suffrage, had just placed in her Constitution a provision that the members of the commission should be appointed, so as to get them away from railroad power.

Virginia stands eleventh or twelfth among the States in the standing of decisions by the Supreme Court, said Daniel Coleman, of Norfolk, while New York, which elects judges by the people, stands second. He was willing that every officer should be chosen by popular vote.

C. M. Lunsford, of Botetourt, did not believe railroads could control the electorate of Virginia, but thought it more likely they could control an appointment.

Similar bills have been defeated in the House at the last two sessions.

## "Just Say" HORLICK'S

It Means Original and Genuine Malted Milk

The Food-drink for All Ages.

More healthful than Tea or Coffee. Agrees with the weakest digestion. Delicious, invigorating and nutritious. Rich milk, malted grain, powder form.

A quick lunch prepared in a minute. Take no substitute. Ask for HORLICK'S. Others are imitations.

W. Fred Richardson, FUNERAL DIRECTOR AND EMBALMER.

Main and Bevidere Streets.

Phones, Madison 843, day; Monroe 422, night.

Sauers' THE BEST FLAVORING EXTRACTS BY EVERY TEST.

## PROTECT WATER IN JAMES RIVER

For the protection of the waters of rivers which form the water supply of cities, bills were introduced in the House yesterday to require plants whose products pollute such streams, to purify the water at their own expense, under the direction of the State Board of Health. While the bills are general, they are evidently intended to apply in the main to James River and to Richmond, since the patrons are Senator A. C. Harman and Delegates John A. Curtis, James J. Creamer, Edwin P. Cox, John S. Harwood and Hill Montague, all of this city. It is stated that pulp plants near the head of the river are offenders.

The bill says: "Every person who shall maintain a manufacturing establishment from which deleterious, noxious or unhealthful waste material may flow or be placed in any river or stream, or tributary of any such river or stream in the Commonwealth, from which any city or town obtains its water supply for domestic purposes, shall establish and maintain, under rules and regulations to be prescribed by the State Board of Health, a suitable and efficient plant or plants for the purification of said waste material, so as to prevent possible pollution of waters flowing in such rivers or streams or the tributaries thereof." A fine of from \$25 to \$100 daily is provided for violation.

The Richmond delegation has tried to have this bill passed at other sessions.

## MANY LARCENIES

Hungary and Thirty Thieves Had Stores of Richmond People.

Some one was hungry on account of the high cost of living—not the cost of high living—and on Tuesday night broke into the store of Marks Ridley,

at 104-256-3004. GENTLY SWEET THE SYSTEM.

820 North Third Street, and stole therefrom seven pounds of beef, two Spanish mackerel, a bushel of potatoes and a basket in which to carry away the plunder.

The store was broken into through the rear. No money is reported to be missing, and it seems that the house-breaker stole only something to eat. There is no clue to him—no clue other than there are many hungry people in Richmond.

L. M. Ellis, of 312 West Broad Street, reported to the police yesterday that his store had been broken into and that a lot of tobacco had been stolen.

J. L. Andrews, of 913 Beverly Street, complained that his house had been entered, and that a watch had been stolen. Detectives may recover the watch. They have no hope of recovering the beef, mackerel and potatoes, nor the tobacco.

Benjamin Baldwin, of 619 North First Street, reported that his place had been entered, and that several pints of whiskey and several quarts of wine had been stolen.

## A Home Recipe For Removing Wrinkles

(From Woman's National Journal.)

Who will blame the modern woman for trying to look as young and attractive as she reasonably can? Why should she be placed at a disadvantage in numerous ways by wearing wrinkles, if she can avoid these hateful marks of advancing age?

Few women, however, know what to do to effectually rid themselves of wrinkles or sagging. None of the advertised preparations is satisfactory, and most of them are very expensive. But a very simple and harmless home remedy, which any woman can make, will work wonders where all the patent preparations fail.

Buy an ounce of powdered salicylate at any drug store. Dissolve the whole ounce in a half pint of witch hazel and use it as a wash lotion. The results are practically instantaneous. Marked improvement is noticed immediately after the very first trial. Wrinkles and sagging are corrected and the face feels so refreshed and snug-like.

AT DRUGGISTS 104-256-3004. GENTLY SWEET THE SYSTEM.

## AMBITIOUS MEN

who realize their latent ability and seek success in life, are invited to a careful consideration of the famous food,

## Grape-Nuts

Brain Nourishment is essential to Brain Activity.

A sluggish brain is a handicap—a hindrance in the path of promotion.

Grape Nuts food, made of whole wheat and barley, contains the tissue-building "albumins" and the energy-making starches (changed into dextrin and grape sugar in making Grape-Nuts.) It also contains the phosphate of potash (grown in the grains)—the cell forming, mineral element Nature uses in building brain and nerve cells.

Grape-Nuts, regularly for breakfast, will help anyone.

## "There's a Reason"

Postum Cereal Company, Limited, Battle Creek, Mich.